

The Calvin Ball Bulletin

Legislation Edition: September 2011



Transparency and open communication is a vital step to create informed and engaged citizenry. This newsletter is purely dedicated to legislation relating to Howard County and will be distributed after the County Council prefile deadline which is typically the last Thursday of the month. It will include legislation under consideration by the Howard County Council and the Howard County



State legislation while still in session. Included within each section you will find a brief description of each proposed bill as well as links to find more details. I hope you find this information helpful and take advantage of this

opportunity to become more engaged. If you'd like to offer testimony on any legislation for consideration by the Howard County Council, please send an email to Councilmail@howardcountymd.gov. The Howard County State Legislation is no longer in session. However, should you have any questions relating to the legislation included in this newsletter, please feel free to email hoc1@mlis.state.md.us.

Howard County Council INTRODUCTIONS

*All current Council legislation can be found online at <http://cc.howardcountymd.gov/Displayprimary.aspx?ID=4294968832>.

CR 125-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of J. Allen Cornell to the Howard County Directors of the Revenue Authority.

Final Action:

Votes:

CR 126-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Victor C. Crentsil to the Human Rights Commission.

Final Action:

Votes:

CR 127-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Donzella Curtis to the Housing Commission.

Final Action:

Votes:

CR 128-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Danielle Ellis to the Recreation & Parks Board.

Final Action:

Votes:

CR 129-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Athena Kan to the Commission for Women.

Final Action:

Votes:

CR 130-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Richard A. Kohn, Jr. to the Board of Directors of the Economic Development Authority.

Final Action:

Votes:

CR 131-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Andrea Kolp to the Commission on Disability Issues.

Final Action:

Votes:

CR 132-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Jose Maldonado to the Equal Business Opportunity Commission.

Final Action:

Votes:

CR 133-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Stephen Martin to the Board to Promote Self-Sufficiency.

Final Action:

Votes:

CR 134-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Robert D. McMenamin to the Fire and Rescue Services Board.

Final Action:

Votes:

CR 135-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Sang W. Oh to the Board of Directors of the Economic Development Authority.

Final Action:

Votes:

CR 136-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Robin Toler, M.D. to the Adult Public Guardianship Review Board.

Final Action:

Votes:

CR 137-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of David Wasser to the Board of Directors of the Howard County Mental Health Authority.

Final Action:

Votes:

CR 138-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Peggy M. White to the Howard County Design Advisory Panel.

Final Action:

Votes:

CR 139-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Arthur John Whittle to the Commission on Disability Issues.

Final Action:

Votes:

CR 140-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the reappointment of Carol A. Beatty to the Commission on Disability Issues.

Final Action:

Votes:

CR 141-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the reappointment of Jean L. Daniello to the Commission on Disability Issues.

Final Action:

Votes:

CR 142-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the reappointment of John F. Meitl to the Fire and Rescue Services Board.

Final Action:

Votes:

CR 143-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the reappointment of David M. Moynihan to the Fire and Rescue Services Board.

Final Action:

Votes:

CR 144-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the reappointment of Edward L. Waddell to the Howard County Revenue Authority.

Final Action:

Votes:

FINANCIAL

SAO2-FY2012 Introduced by: The Chairperson at the request of the County Executive

AN ACT transferring \$10,006 from the Grants Fund, Contingency Reserve to the Sheriff's Office for a grant to provide overtime funding to deputies assigned to the Domestic Violence Unit.

Final Action:

Votes:

CB 48-2011 Introduced by: The Chairperson at the request of the County Executive

AN ORDINANCE authorizing the issuance, sale and delivery of up to \$100,000,000 consolidated public improvement bonds and up to \$10,000,000 metropolitan district bonds, pursuant to various bond enabling laws; providing that such bonds shall be general obligations of the County; authorizing the County Executive to specify, prescribe, determine, provide for or approve the final principal amounts, maturity schedules, interest rates and redemption provisions for such bonds, and other matters, details, forms, documents or procedures and to determine the method of sale of such bonds; providing for the disbursement of the proceeds of such bonds and for the levying of taxes to pay debt service on such bonds; and providing for and determining various matters in connection therewith.

Final Action:

Votes:

TAO1-FY2012 Introduced by: The Chairperson at the request of the County Executive

AN ACT transferring \$600,000 in excise tax funding to capital project T7101, State/County Shared Intersections, from capital project J4148, Dorsey Run Road Extension; making certain text changes to the detail pages for Capital Project T7101 in order to authorize certain studies to be funded by the transfer.

Final Action:

Votes:

CR145-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION adopted pursuant to the Maryland Economic Development Revenue Bond Act providing for the consent by Howard County, Maryland to (1) the transfer of the 634-unit residential rental housing facility located in Elkridge, Maryland known as the "Sherwood Crossing Apartments," by WLA Sherwood Investors VI, L.L.C. to KMF Sherwood Crossing, LLC (the "Purchaser"), the costs of which facility were refinanced with the proceeds of the County's Variable Rate Demand Multifamily Housing Revenue Refunding Bonds (Sherwood Crossing Apartments) Series 2003, and (2) the assumption by the Purchaser of the borrower's surviving

obligations under Amended and Restated Regulatory Agreement relating to such bonds; authorizing the County to enter into an amendment to such Regulatory Agreement; making certain findings; and authorizing the County Executive and other County officials to do all acts and execute all documents necessary in connection therewith.

Final Action:

Votes:

GENERAL

CB 49-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT pursuant to Section 612 of the Howard County Charter, approving a multi-year Amended and Restated Developer Agreement and Right of Entry for a Major Public Sewer System between Howard County, Maryland, Autumn Development Corporation, and Autumn River Corporation for the acquisition of the Autumn River Wastewater Pumping Station; and authorizing the County Executive to take certain actions in connection with the Agreement.

Final Action:

Votes:

CB 50-2011 Introduced by: The Chairperson at the request of the County Executive and Cosponsored by Calvin Ball, Mary Kay Sigaty, Jennifer Terrasa and Courtney Watson

AN ACT, pursuant to State law requirements, repealing and reenacting the Howard County Public Ethics Law; defining certain terms; restating the role of the Howard County Ethics Commission and the role of the County Solicitor; authorizing certain late fees for failure to file certain forms; clarifying certain prohibited conduct and interests; clarifying provisions related to gifts and authorizing the acceptance of certain limited types of gifts; maintaining certain exceptions currently allowed under the Howard County Charter; clarifying the disclosure of certain information by elected officials, candidates for elected offices, county employees and board and commission members; clarifying and expanding certain lobbyist provisions including reporting requirements; providing for certain enforcement; and generally relating to the Howard County Public Ethics Law.

Final Action:

Votes:

CR 146-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that a portion of Preservation Parcel U in the Riverwood subdivision subject to a Forest Conservation Easement comprising approximately 0.11 acres is no longer needed by Howard County, Maryland for public purposes

provided that, in exchange for the conveyance of such .11 acres, .30 acres is conveyed to the County and encumbered with a Forest Conservation Easement; authorizing the County Executive to terminate the property interest, vesting title to the adjacent property owner, Winchester Homes, Inc.; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to convey the property if he finds that the property may have a further public use and submits his finding to the County Council for its consideration.

Final Action:

Votes:

CT 147-2011 Introduced by: The Chairperson at the request of the County Executive and Cosponsored by Calvin Ball

A RESOLUTION amending the rules that implement the Settlement Downpayment Loan Program established under Title 13, Subtitle 9 of the Howard County Code; requiring a certain minimum debt ratio; requiring that a home be used as a primary residence; limiting the use of loan payments to finance certain discount fees; prohibiting the use of a loan in conjunction with certain primary loans; and generally relating to the Settlement Downpayment Loan Program.

Final Action:

Votes:

CR 148-2011 Introduced by: Courtney Watson at the request of Linwood Center, Inc.

A RESOLUTION endorsing an application by Linwood Center, Inc. to the Maryland Department of Housing and Community Development's Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

Final Action:

Votes:

CR 149-2011 Introduced by: The Chairperson at the request of The Red Devils

A RESOLUTION endorsing an application by The Red Devils to the Maryland Department of Housing and Community Development's Community Investment Tax Credit program providing tax credits for individuals who donate to certain 501(c)(3) organizations.

Final Action:

Votes:

CR 150-2011 Introduced by: Greg Fox

A RESOLUTION proposing to add a section to Article VIII. "Centralized Purchasing" of the Howard County Charter to limit the exercise of the power of eminent domain so that the power is used only for public purposes and not for private economic development, and submitting this amendment to the voters of Howard County for their adoption or rejection in accordance with Article X of the Howard County Charter and

Article XIA of the Maryland Constitution.

Final Action:

Votes:

FINAL CONSIDERATION

CR 124-2011 Introduced by: Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of Donna Richardson as the Cable Administrator.

Final Action: Passed 7/28/11

Votes: Unanimous

FINANCIAL

SAO1-FY2012 Introduced by: Chairperson at the request of the County Executive

AN ACT transferring \$85,300 from the Grants Fund, Contingency Reserve to the Department of County Administration for a grant to provide funding for a BRAC Regional Family Support Coordinator.

Final Action: Passed 7/28/11

Votes: Unanimous

CB 40-2011 Introduced by: Chairperson at the request of the County Executive

AN ACT approving and providing for a multi-year Installment Purchase Agreement by Howard County, Maryland to acquire development rights in two parcels of agricultural land consisting of approximately 186.18 acres combined located at 1625 Rt. 32, Sykesville, Howard County, Maryland, from The Wilbur and Lillie Mae Zepp Living Trust or any other owner thereof for a maximum purchase price of \$5,921,000 or, if less, \$31,800 per acre or portion thereof, rounded to the next highest \$1,000, plus interest on the deferred portion of such purchase price; providing that the County's obligation to pay such deferred portion of the purchase price and interest thereon shall be a full faith and credit general obligation of the County; providing for the levying of taxes for such payments; authorizing the County Executive to modify such Agreement; and providing for and determining various matters in connection therewith.

Final Action: Passed 7/28/11

Votes: Unanimous

GENERAL

**ENRCB30-2011 Introduced by: Courtney Watson.
Cosponsored by Greg Fox**

AN ACT establishing a tax credit against the Howard County real property tax for certain nonprofit swim clubs under certain conditions; establishing the duration of the credit; providing for an application procedure; and generally relating to property tax credits in Howard County.

Final Action: Failed 7/28/11

Votes: Yea – Council Members Fox and Watson

Nay – Council Members Ball, Sigaty and Terrasa

ENRCB 41-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the County's discount for prompt real property tax payment; generally relating to the Real Property Taxes in Howard County; and declaring this Act to be an emergency measure.

Final Action: Passed as amended 7/28/11

Votes: Unanimous

CB 42-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT approving provisions in a collective bargaining agreement between Howard County and the International Association of Firefighters – Howard County Local 2000 that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between International Association of Firefighters–Howard County Local 2000 that will be effective through the end of Fiscal Year 2013 and that includes payment of certain compensation in Fiscal Year 2013.

Final Action: Passed 7/28/11

Votes: Unanimous

CB 43-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees, Howard County Local 3080 that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual; approving a multi-year collective bargaining agreement between Howard County and Local 3080 that will be effective through the end of Fiscal Year 2013 and that includes payment of certain compensation in Fiscal Year 2013.

Final Action: Passed 7/28/11

Votes: Unanimous

ENRCB 44-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT approving provisions in a collective bargaining agreement between Howard County and the American Federation of State, County and Municipal Employees,

Howard County Local 3085, Council 67, AFL-CIO that are in conflict with the provisions of Title 1 "Human Resources" of the Howard County Code or the Employee Manual.

Final Action: Passed as amended 7/28/11

Votes: Unanimous

CB 45-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT amending the Pay Plan for Howard County to amend the pay scales for members of the Howard County Public Safety Dispatchers Association; and generally relating to the Pay Plan for Howard County.

Final Action: Passed 7/28/11

Votes: Unanimous

CB 46-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT making a technical correction to amend a definition in the Adequate Public Facilities Ordinance; and generally related to the Adequate Public Facilities Ordinance.

Final Action: Passed 7/28/11

Votes: Unanimous

CB 47-2011 Introduced by: The Chairperson at the request of the County Executive

AN ACT pursuant to the Stormwater Management Act of 2007, amending certain stormwater management regulations in the Howard County Code.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 112-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION closing a portion of Sterling Drive.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 113-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION closing a portion of Whiskey Bottom Road.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 115-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION revising Chapter 5, Stormwater Management, of Volume I (Storm Drainage) of the Design Manual in order to amend provisions related to the maintenance and inspection of stormwater management facilities in Howard County.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 116-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION designating the area surrounding and including the Savage MARC Station as a Transit-oriented Development in accordance with the Governor's Executive Order 01.01.2009.12 and State law.

Final Action: Passed 7/28/11

Votes: Unanimous

ENRCR 117-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION adopting Guidelines for the 2030 General Plan, promulgated by the Planning Board, to be used by the Department of Planning and Zoning in the preparation or revision of the General Plan.

Final Action: Passed as amended 7/28/11

Votes: Unanimous

CR 118-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Sections 16.301 and 16.200(a) of the Howard County Code, granting a variance for government uses from the structure and use setback for a fence on property located along Md. Route 216 and Stephens Road and located in the Planned Employment Center Zoning District.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 119-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION declaring that a total of approximately 64.664 acres of real property owned by Howard County and identified as (1) portions of the road bed of Sterling Drive and Whiskey Bottom Road and (2) certain open space parcels are no longer needed for a public purpose and authorizing the County Executive to waive the advertising and bidding requirements of Section 4.201 of the Howard County Code in order to convey the property to the owner of the adjacent property, Emerson Development LLCs.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 120-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION adopting the Howard County Flood Mitigation Plan.

Final Action: Passed 7/28/11

Votes: Unanimous

CR 121-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION declaring that portions of a Water and Utility Easement and a Sewer and Utility easement, collectively comprising approximately 0.6669 acres, are no

longer needed by Howard County, Maryland for public purposes.

Final Action: Passed 7/28/11

Votes: Unanimous

ENRCR 122-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION approving the terms and conditions of a Payment in Lieu of Taxes Agreement by and between the Howard County Housing Commission and Howard County, Maryland for a multi-family rental housing redevelopment on the property to be known as Hilltop Phase I.

Final Action: Passed as amended 7/28/11

Votes: Unanimous

ENRCR 123-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION approving the redevelopment of an affordable housing development to be known as Hilltop Phase I in Ellicott City, Maryland to be financed either directly by the Department of Housing and Community Development of the State of Maryland or through the Department's Community Development Administration.

Final Action: Passed as amended 7/28/11

Votes: Unanimous

TABLED

CR22-2011 Introduced by: The Chairperson at the request of the County Executive

RESOLUTION approving a public interest use for a monopole cell tower and accessory ground equipment on land owned by Trent Kittleman; finding that the proposed use is in the public interest; approving an amendment to certain deeds of easement to release the land used for the monopole cell tower and accessory ground equipment for a public purpose; and providing that the release is contingent on a certain payment to the County.

Final Action: Tabled 4/4/2011

Votes: Unanimous

To view the resolution, visit

<http://www.howardcountymd.gov/CountyCouncil/CCdocs/CR22-2011.pdf>. Amendment 1

<http://www.howardcountymd.gov/CountyCouncil/CCdocs/A1CR22-2011.pdf>. Administration Explanation

<http://www.howardcountymd.gov/CountyCouncil/CCdocs/T-CR22-2011.pdf>.

CR52-2011 Introduced by: The Chairperson at the

request of the County Executive

A RESOLUTION confirming the appointment of John A. Clark to the Howard County Commission for Veterans and Military Families.

Final Action: Tabled 6/6/2011

Votes: Unanimous

CR114-2011 Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION confirming the appointment of William L. Santos to the Planning Board.

Final Action: Tabled 7/28/11

Votes: Unanimous

THE PROCESS

The County Council is responsible for adopting the laws of the County. The legislative process generally follows a monthly cycle:

- 1st Monday - New legislation is introduced; legislation from prior month is given final consideration
- 3rd Monday - Public hearing on legislation introduced that month
- 4th Monday - Legislative work session, if needed
- 1st Monday - New legislation is introduced; legislation from prior month is given final consideration

Council bills must be signed or vetoed by the County Executive within 10 days of the Council's presentation of passed legislation.

UPCOMING MEETINGS

Unless otherwise noted, the County Council will hold its meetings in the Banneker Room of the George Howard Building, 3430 Court House Drive, Ellicott City, MD.

The next meetings are as follows:

- Tuesday, September 6, 2011 Legislative Session at 7:30pm
- Monday, September 12, 2011 Monthly Meeting at 12:30pm in the C. Vernon Gray Room
- Monday, September 19, 2011 Legislative Public Hearing at 7:30pm
- Monday, September 26, 2011 Work Session at 4:30pm

* Please note these dates are subject to change. To access the most up-to-date calendar of meetings, visit http://www.howardcountymd.gov/CountyCouncil/CC_Legislative_CouncilCalendar.htm

Can't attend a meeting but still want to stay involved? You can stream the Council's sessions online by visiting www.howardcountymd.gov/CountyCouncil/CC_WatchUs.htm and click on the meeting you would like to watch. The Council's sessions are also streamed real time on this website.

Thank you for your willingness to remain engaged.

All the best

Dr. Calvin Ball
Chairperson, District 2
Howard County Council
3430 Court House Drive
Ellicott City, MD 21043

"Our ways of handling power differences and diverse points of view and cultures should be models of the civic life we wish to engender in our communities. Encouraging the articulation of differences, and then finding areas for collaboration, should be the norm rather than the exception." ~ Zelda Gamson